
TOO GOOD TO BE TRUE....

A Column on Consumer Issues by Attorney General Wayne Stenehjem's Consumer Protection and Antitrust Division

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MAKING THE RIGHT MOVE

Moving across town from one apartment to another or moving into a new home may be a do-it-yourself adventure. However, for those planning a substantial move or relocating to a different city or state, the choice may be to hire a professional moving company.

Once you have decided exactly what to move, consider what services you want from the mover. A basic price includes loading, the drive to your new location, and unloading. Movers may supply a number of other services such as containers, packing, unpacking, and reassembly of things taken apart for the move. Each extra service will cost you more.

Selecting a mover is the next step. Check with friends and relatives for recommendations. To be sure you are getting a legitimate interstate mover, contact the Federal Highway Administration (FHWA) on their website at www.fmcsa.dot.gov/factsfigs/moving.htm to check on whether the mover has:

- ✓ authority on file. Ask if the mover has FHWA authority. What is the company's FHWA motor carrier license number? Is it active?
- ✓ insurance on file. Ask if the mover has active cargo and bodily injury and property damage insurance on file.
- ✓ tariffs on file. If the mover has "common" carrier authority, which the majority of most interstate movers have, it must file a current copy of its rules and rates with FHWA.

If FHWA has no record of this mover, don't use it. If the mover shows an MC number, but is considered inactive, don't use it. And if it doesn't show insurance and tariffs on file, don't use it.

When you choose your mover, be sure you understand:

- ✓ The rates and charges that will apply.
- ✓ The mover's liability for your belongings.
- ✓ How pickup and delivery will work.
- ✓ What claims protection you have.

Once you have selected a moving company, be sure to work closely with the company's representatives so there are no surprises. Ask the mover for the pamphlet called "Your Rights and Responsibilities When You Move." The mover will also furnish you with a pamphlet describing its procedure for handling your questions and complaints. This pamphlet should include a telephone number you can call to obtain additional information about your move. Most movers provide estimates for the cost of the move. The cost of an interstate move is usually based on the weight of your belongings and on the distance they are shipped, plus the amount of packing and other services that you require. There are two types of estimates, binding and non-binding.

The mover may charge you for providing a binding estimate. Binding estimates must clearly describe the shipment and all services provided. When you receive a binding estimate, you cannot be required to pay any more than the amount of the estimate. To be effective, a binding estimate must be in writing and a copy given to you before you move. A copy of the binding estimate must also be attached to the bill of lading, which is the contract between you and the mover.

The mover is not permitted to charge for giving a non-binding estimate; however, you may end up paying more than the estimate. A non-binding estimate is an approximation of the cost based on the mover's survey of the items to be moved, with the final cost determined after the shipment is weighed. A non-binding estimate does not bind the mover. When you receive a non-binding estimate, there is no guarantee that the final cost will not be more than the estimate. Under the non-binding estimate, the mover cannot require you to pay more than the amount of the original estimate, plus 10% (or 110% of the original estimate amount), at the time of delivery. You are then obligated to pay any remaining charges, over this 110% amount, within 30 days. However, if you requested the mover to provide more services than those included in the original estimate, the mover may demand full payment for these added services at the time of delivery, in addition to the 110% of the original estimate.

When you are discussing your estimate with your mover, be sure to ask about the arrangements for paying for the move. It is customary for movers to require that charges be paid in cash, by certified check or by money order. Most movers will not accept personal checks. Some movers will accept payment by credit card. However, do not assume that, because you have a nationally recognized charge or credit card, it will be accepted for payment.

When your household goods are delivered, **inspect everything** as the goods are unloaded. If you find damaged goods or notice that something is missing, insist on a claim form immediately.

Do not sign the Delivery Acknowledgement stating that the shipment was received in good condition if there has been damage unless the damage is noted on the inventory form.

If the customer has an unresolved complaint with an interstate mover, the customer may wish to contact the American Moving and Storage Association, by telephone: (703) 683-7410; or e-mail: Amconf@amconf.org. AMSA Certified Movers and Van Lines are companies that have voluntarily agreed to abide by a Code of Conduct that requires complete disclosure of moving information to consumers, written estimates of charges, timely service, and prompt response to claims and complaints. They have also agreed to arbitrate disputes of up to \$5,000 arising from loss or damage to articles in the customer's shipment.

The Attorney General's Consumer Protection Division investigates allegations of fraud in the marketplace. Investigators also mediate individual complaints against businesses. If you have a consumer problem or question, call the Consumer Protection Division at 328-3404, toll-free at 1-800-472-2600, or 1-800-366-6888 (w/TTY). This article and other consumer information is located on our website at www.ag.nd.gov.

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